DETAILED ACTION

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given by Atty. Sean Myers-Payne via telephone and email on behalf of Atty. Arnold Turk on 2/2/2012. The withdrawn claims 6 and 18 will be cancelled. Claims 2, 7, 8, 9, 16, 18, 19 are allowable and are renumbered as 1-7.

The application has been amended as follows:

(1) **DELETE** claim 6.

(2) **DELETE** claim 17.

DETAILED ACTION

Application Priority

This application filed 06/08/2007 is a national stage entry of PCT/JP05/04051, International Filing Date: 03/09/2005, PCT/JP05/04051 Claims Priority from Provisional Application 60622618, filed 10/28/2004, claims foreign priority to 2004-066996, filed 03/10/2004.

REASONS FOR ALLOWANCE

Claims 2, 7, 8, 9, 16, 18, 19 are allowable and are renumbered as 1-7.

Applicants' arguments in the Appeal Brief filed dated 12/29/2011 and Rule 130, 131 or 132 affidavits (Etchamendy et al. and Goodman et al.) has been fully considered and found to be persuasive.

The rejection of claims 2, 7- 9, 16, 18-19 rejected under 35 U.S.C. 103(a) as being unpatentable over Teng et al. (Applicant cited IDS: U.S. 5,965,606) and Goodman (Applicant cited IDS: PNAS, 2003, 100, 5, 2901-05) and Etchamendy (Applicant cited IDS: J Neurosci, 2001, Aug 21(16) p 6423-29) is withdrawn due to Applicants' arguments in the Appeal Brief.

The following is an examiner's statement of reasons for allowance:

The claims of the instant application are directed to a method promoting formation of long-term memory from short-term comprising administering to a mammal, in need of consolidation of short-term as long-term memory, a therapeutically effective

amount of a composition to promote memory consolidation of short-term memory as long-term memory the composition comprising 4-[(5,6,7,8-tetrahydro-5,5,8,8-tetramethyl-2-naphthalenyl)carbamoyl]benzoic acid (Am-80) as an active ingredient. The closest prior art of record are Teng et al. (US 5,965,606), Goodman (PNAS, 2003, 100, 5, 2901-05) and Etchamendy (J Neuosci, 2001, Aug 21(16) p 6423-29).

Teng broadly discloses in the Background Art section uses of retinoid-like compounds in various disorders including neurodegenerative disorders such as Alzheimer's, Parkinson's disease etc. Though Teng discloses the genus of compounds that include species of Am-80, Teng does not provide any teaching or suggestion for arriving at a method for promoting formation of long-term memory from short-term memory, comprising administering to a mammal, in need of consolidation of short-term as long-term memory, a therapeutically effective amount of a composition to promote memory consolidation of short-term memory as long-term memory, the composition comprising Am80 as an active ingredient. Teng does not provide any direction to arrive at using Am-80 for arriving at Applicants' claimed subject matter. Etchamendy is directed to the alleviation of a selective age-related relational memory deficit in mice by pharmacologically induced normalization of brain retinoid signaling. Goodman teaches that late onset Alzheimer's disease is influenced by the availability in brain of retinoic acid. Etchamendy or Goodman do not teach or suggest any disclosure relating to consolidating short term memory as long-term memory and does not teach or suggest using Am80.

The claims are allowable over the closest art of record because they do not teach, disclose nor make obvious a method of promoting formation of long-term memory from short-term comprising administering to a mammal, in need of consolidation of short-term as long-term memory, comprising Am-80.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Umamaheswari Ramachandran whose telephone number is 571-272-9926. The examiner can normally be reached on M-F 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sreeni Padmanabhan can be reached on 571-272-0629. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/SREENI PADMANABHAN/

Supervisory Patent Examiner, Art Unit 1627